

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EDWINA K. GUSTAVE
and MERANDE S. GUSTAVE,

NOT FOR PUBLICATION

Plaintiffs,

MEMORANDUM AND ORDER

-against-

10-CV-3314 (KAM)(RLM)

CITY OF NEW YORK, et al.,

Defendants.

X

MATSUMOTO, United States District Judge:

The court is in receipt of a letter, dated July 18, 2011, from *pro se* plaintiff Edwina Gustave ("E. Gustave") requesting the court to: (1) prohibit her state court-appointed attorney, Michael Schwed, Esq., from representing her in a state criminal proceeding currently pending in Queens County Supreme Court (the "Criminal Proceeding"); (2) order the Honorable Michael Aloise of Queens County Supreme Court to recuse himself from the Criminal Proceeding; and (3) enjoin the Criminal Proceeding. (See ECF No. 68, Letter dated 7/18/2011 from *pro se* Edwina K. Gustave to Judge Matsumoto.) The court has also received two letters in response, both dated July 28, 2011, from defendants the City of New York, the Civilian Complaint Review Board, and the Criminal Court of the City of New York, Queens County. (See ECF No. 70, Letter in Response to Plaintiff's Letter of July 18, 2011 by Criminal Court of the City of New

York; ECF No. 71, Letter in Response to Plaintiff's July 18, 2011 Letter by City of New York, Civilian Complaint Review Board.)

By the court's count, this is the tenth request by E. Gustave and/or plaintiff Merande Gustave (together, "plaintiffs") for similar relief against the Criminal Proceeding or persons associated or involved with that proceeding. (See ECF No. 27, Motion to Stay the Criminal Proceeding, dated 9/13/10 (requesting a stay of the Criminal Proceeding); ECF No. 33, Letter dated 9/23/10 from *pro se* Edwina K. Gustave to Judge Matsumoto (same); ECF No. 34, Letter dated 9/23/10 from *pro se* Edwina K. Gustave to Judge Mann (same); ECF No. 49, Letter dated 10/28/10 from *pro se* Edwina K. Gustave to Judge Matsumoto (same); ECF No. 54, Notice of Omnibus Motion dated 11/29/2010 (same); ECF No. 55, Letter dated 12/1/10 from *pro se* Edwina K. Gustave & Merande S. Gustave (same); ECF No. 56, Letter Motion for Reconsideration, dated 12/7/10 (motion to reconsider, *inter alia*, refusal to enjoin of Criminal Proceeding); ECF No. 62, Letter dated 2/23/2011 from Merande Sondra Gustave to Judge Matsumoto (complaining about, *inter alia*, appointment of counsel in Criminal Proceeding); ECF No. 63, Letter Motion for Temporary Restraining Order, dated 3/27/11 (seeking restraining order prohibiting E. Gustave's appointed counsel, Michael Schwed, Esq., from contacting her); ECF No. 64, Letter dated 4/7/11 from Edwina K. Gustave to Judge Matsumoto (same).)

For the same reasons stated in Magistrate Judge Mann's Orders dated October 6, 2010 and December 6, 2010, and this court's Orders dated November 16, 2010, December 10, 2010, and April 11, 2011, E. Gustave's requests are denied. (See ECF No. 40, Memorandum and Order, dated 10/6/10 (denying request to stay Criminal Proceeding); ECF No. 53, Endorsed Order, dated 12/6/10 (denying application to stay Criminal Proceeding); ECF No. 52, Memorandum and Order, dated 11/16/10 (affirming denial of request to stay Criminal Proceeding); Order, dated 12/10/10 (overruling objection to the denial of the motion to enjoin Criminal Proceeding); Order, dated 4/11/11 (denying motion for restraining order prohibiting appointment of counsel and appointed counsel from contacting E. Gustave).)

Plaintiffs are hereby notified that additional applications for the same relief will not be granted, and may subject them to sanctions. The Clerk of the Court is respectfully requested to serve a copy of this Memorandum and Order on plaintiffs and to note the service on the docket.

SO ORDERED.

Dated: July 29, 2011
Brooklyn, New York

_____/s/
Kiyo A. Matsumoto
United States District Judge
Eastern District of New York